

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

RONALD F. MARTINEZ,  
Plaintiff,  
v.  
C. RIOS,  
Defendant.

1:24-cv-01073-HBK (PC)

ORDER TRANSFERRING CASE TO THE  
SACRAMENTO DIVISION OF THE  
EASTERN DISTRICT OF CALIFORNIA  
AND CLOSING CASE IN FRESNO  
DIVISION

Plaintiff, a state prisoner, initiated this action by filing a *pro se* civil rights complaint under 42 U.S.C. § 1983 on September 11, 2024. (Doc. No. 1, “Complaint”). Plaintiff did not accompany his Complaint with the filing fee or an application to proceed *in forma pauperis*. A review of the Complaint reveals that the events giving rise to the cause of action occurred at High Desert State Prison, which is in Lassen County. Thus, Plaintiff should have filed his complaint in the Sacramento Division of this Court. *See* 28 U.S.C. § 1391(b); *see also* *Ziegler v. Indian River County*, 64 F.3d 470, 474 (9th Cir. 1995) (reviewing federal court jurisdiction and venue in a § 1983 action).

Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper court may, on the court’s own motion, be transferred to the correct court. The Court finds it in the interests of justice to transfer this case to the Sacramento Division under 28 U.S.C. § 1406(a)

1 and Local Rule 120(f).

2 Accordingly, it is **ORDERED**:

3 1. The Clerk of Court is directed to transfer this action to the Sacramento Division of  
4 this Court and close the case in this division.

5 2. All future filings shall refer to the new Sacramento case number assigned and shall be  
6 filed at:

7 United States District Court  
8 Eastern District of California  
9 501 "I" Street, Suite 4-200  
10 Sacramento, CA 95814

11 Dated: September 11, 2024

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13 HELENA M. BARCH-KUCHTA  
14 UNITED STATES MAGISTRATE JUDGE  
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